

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ROBERT RICKLES,

CV 03-908-JE

Plaintiff,

ORDER

v.

SCOTT TAYLOR, Asst. Director  
Department of Corrections (DOC);  
JOSEPH RICHTER, (former) Health  
Health Services Administrator,  
DOC; STEVE SHELTON, Medical Director  
DOC; HEATHER VILLANUEVA, Health  
Services Manager, Two Rivers  
Correctional Institution (TRCI);  
BRIDGETT WHELAN, Nurse Manager, TRCI;  
GREG LYTTLE, M.D., Physician, TRCI;  
DR. PUTNAM, Dentist, TRCI;  
MS. FUERSTENBERG, Dental Asst., TRCI;  
LARRY HERRING,

Defendants.

ROBERT RICKLES

Oregon State Penitentiary  
SID# 3300373  
2605 State Street  
Salem, OR 97310

Plaintiff, *Pro Se*

**HARDY MYERS**

Attorney General

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Attorneys for Defendants

**BROWN, Judge.**

Magistrate Judge John Jelderks issued Findings and Recommendation (#45) on August 22, 2005, in which he recommended this Court deny Defendants' Motion to Dismiss for Failure to Exhaust Administrative Remedies (#30) and grant Plaintiff's request to dismiss his hepatitis C claim without prejudice. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

The parties did not file any objections to the Magistrate Judge's Findings and Recommendation. This Court, therefore, is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). The Court has reviewed the legal principles *de novo* and does not find any error.

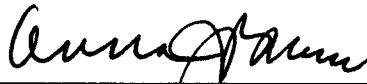
#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and

Recommendation (#45). Accordingly, the Court **DENIES** Defendant's Motion to Dismiss for Failure to Exhaust Administrative Remedies (#30) and **GRANTS** Plaintiff's request to dismiss his hepatitis C claim without prejudice.

IT IS SO ORDERED.

DATED this <sup>20<sup>th</sup></sup>~~19<sup>th</sup>~~ day of October, 2005



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ANNA J. BROWN  
United States District Judge

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